

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Maine Yankee Atomic Power Company

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Docket No. ER13-1395-000

NOTICE OF INTERVENTION AND COMMENTS OF THE
MASSACHUSETTS DEPARTMENT OF PUBLIC UTILITIES

Pursuant to Rule 214(a)(2) of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“Commission”), 18 C.F.R. § 385.214(a)(2), and the Commission’s May 2, 2013 Combined Notice of Filings #1, the Department of Public Utilities of the Commonwealth of Massachusetts (“Mass DPU”) hereby files its Notice of Intervention and provides comments in the above-captioned matter. This proceeding relates to the filing by the Maine Yankee Atomic Power Company (“Yankee” or the “Company”) to reduce its wholesale rates under its wholesale power contracts, First Revised Rate Schedule FERC No. 10 and First Revised Rate Schedule FERC No. 11 (“Power Contracts”).

I. COMMUNICATIONS

The Mass DPU requests that the individuals identified below be placed on the Commission’s official service list in this proceeding and that all communications related to this filing and future filings in this proceeding should be directed to:

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II. INTERVENTION

The Mass DPU is the agency of the Commonwealth of Massachusetts charged with general regulatory supervision over gas and electric companies in Massachusetts and has jurisdiction to regulate rates or charges for the sale of electric energy and natural gas to consumers. Massachusetts General Laws c. 164, § 76 et seq. Therefore, the Mass DPU is a “state commission” as defined by 16 U.S.C. § 796(15) and 18 C.F.R. § 1.101(k). This notice of intervention has been filed within the period established under Rule 210(b). Accordingly, the Mass DPU hereby intervenes in this proceeding pursuant to Rule 214(a)(2).

III. COMMENTS

The Mass DPU strongly supports Yankee’s proposed rate reduction and changes to the terms of the Power Contracts. The Mass DPU, along with other affected state agencies and customer representatives, actively participated in negotiations that led to an agreement among all of the affected parties to the changes Yankee has proposed in this rate application.¹ The proposed changes provide immediate benefits to consumers and provide a mechanism in the Power Contracts to permit the prompt flow through to customers of additional damage awards that Yankee may receive in further litigation with the U.S. Department of Energy that are in excess of the funding requirements for projected decommissioning costs. The proposed mechanism strikes the right balance between efficiently and promptly returning available funds

¹ This agreement is reflected in a Stipulation and Agreement among the parties, which is attached as Attachment G to Yankee’s filing.

to customers and providing for regulatory oversight. Accordingly, the Mass DPU endorses the proposed changes.

IV. CONCLUSION

WHEREFORE, for the foregoing reasons, the Mass DPU hereby files this Notice of Intervention and respectfully requests that the Commission recognize the Mass DPU as an intervener in this proceeding, with all rights attendant thereto. In addition, for the reasons stated above, the Mass DPU respectfully requests that the Commission approve Yankee's proposed rate reduction and changes to the terms of the Power Contracts with an effective date of July 1, 2013 and that the Commission accept these revisions without hearing, suspension, modification or condition.

Respectfully submitted,
MASSACHUSETTS DEPARTMENT OF
PUBLIC UTILITIES

By its attorney,

/s/ Jennifer M. Murphy
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Date: May 21, 2013

CERTIFICATE OF SERVICE

In accordance with 18 C.F.R. § 385.2010 (2008), I hereby certify that I have this day served, via electronic mail or first class mail, the foregoing document upon each person designated on the official service list compiled by the Secretary in these proceedings.

Dated at Boston, Massachusetts on this twenty-first day of May, 2013.

/s/ Jennifer M. Murphy
Jennifer M. Murphy